(e) For maintaining an original or reissue patent, except a design or plant patent, based on an application filed on or after December 12, 1980, in force beyond four years, the fee being due by three years and six months after the original grant:

By a small entity

§ 1.27(a) $70.00

By other than a small entity $140.00

(f) For maintaining an original or reissue patent, except a design or plant patent, based on an application filed on or after December 12, 1980, in force beyond eight years, the fee being due by seven years and six months after the original grant:

By a small entity

§ 1.27(a) $490.00

By other than a small entity $980.00

(g) For maintaining an original or reissue patent, except a design or plant patent, based on an application filed on or after December 12, 1980, in force beyond twelve years, the fee being due by eleven years and six months after the original grant:

By a small entity

§ 1.27(a) $1,240.00

By other than a small entity $2,480.00

(h) Surcharge for paying a maintenance fee during the six-month grace period following the expiration of three years and six months, seven years and six months, and eleven years and six months after the date of the original grant of a patent based on an application filed on or after December 12, 1980:

By a small entity

§ 1.27(a) $2,055.00

By other than a small entity $4,110.00

(i) Surcharge for accepting a maintenance fee after expiration of a patent for non-timely payment of a maintenance fee where the delay in payment is shown to the satisfaction of the Director to have been—

(1) Unavoidable—$700.00

(2) Unintentional—$1,640.00

(j) For filing an application for extension of the term of a patent

§ 1.740 $1,060.00

(1) Application for extension under § 1.740—$1,120.00

(2) Initial application for interim extension under § 1.790—$420.00

(3) Subsequent application for interim extension under § 1.790—$220.00

EDITORIAL NOTE: For Federal Register citations affecting § 1.20, see the List of CFR Sections Affected which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 1.21 Miscellaneous fees and charges.

The Patent and Trademark Office has established the following fees for the services indicated:

(a) Registration of attorneys and agents:

(1) For admission to examination for registration to practice:

(i) Application Fee (non-refundable)—$40.00

(ii) Registration examination fee

(A) For test administration by commercial entity—$200.00

(B) For test administration by the USPTO—$450.00

(2) On registration to practice or grant of limited recognition under § 11.9(b) or (c)—$100.00

(3) [Reserved]

(4) For certificate of good standing as an attorney or agent—$10.00

(i) Suitable for framing—$20.00

(ii) [Reserved]

(5) For review of decision:

(i) By the Director of Enrollment and Discipline under § 11.2(c)—$130.00

(ii) Of the Director of Enrollment and Discipline under § 11.2(d)—$130.00

(6) [Reserved]

(7) Annual practitioner maintenance fee for registered attorney or agent.

(i) Active Status—$118.00.

(ii) Voluntary Inactive Status—$25.00.

(iii) Fee for requesting restoration to active status from voluntary inactive status—$50.00.

(iv) Balance due upon restoration to active status from voluntary inactive status—$93.00.

(8) Annual practitioner maintenance fee for individual granted limited recognition—$138.00

(9)(i) Delinquency fee—$50.00.
§ 1.22 Fees payable in advance.

(a) Patent fees and charges payable to the United States Patent and Trademark Office are required to be paid in advance; that is, at the time of requesting any action by the Office for which a fee or charge is payable, with the exception that under § 1.53 applications for patent may be assigned a filing date without payment of the basic filing fee.

(b) All fees paid to the United States Patent and Trademark Office must be itemized in each individual application, patent, or other proceeding in such a manner that it is clear for which purpose the fees are paid. The Office may return fees that are not itemized as required by this paragraph.

The provisions of § 1.5(a) do not apply to the resubmission of fees returned pursuant to this paragraph.

[68 FR 48288, Aug. 13, 2003]

§ 1.23 Methods of payment.

(a) All payments of money required for United States Patent and Trademark Office fees, including fees for the processing of international applications (§ 1.445), shall be made in U.S. dollars and in the form of a cashier’s or certified check, Treasury note, national bank notes, or United States Postal Service money order. If sent in any other form, the Office may delay or cancel the credit until collection is made. Checks and money orders must be made payable to the Director of the United States Patent and Trademark Office. (Checks made payable to the